

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

H. THOMAS MORAN II, Receiver of :  
the Assets of LifeTime Capital, Inc. and  
Certain Affiliated Persons and Entities, :

Plaintiff, :

Case No. 3:05cv0071

vs. :

District Judge Thomas M. Rose  
Magistrate Judge Sharon L. Ovington

A/C FINANCIAL, INC, *et al.*, :

Defendants. :

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**DECISION AND ENTRY**

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This case is before the Court upon Plaintiff's Motion to Dismiss (Doc. #797), to which no remaining party has responded or opposed. In the absence of such opposition, a voluntary dismissal of this case without prejudice is warranted under Fed. R. Civ. P.

41(a)(2). The Court therefore **ORDERS**:

1. Plaintiff's Motion to Dismiss (Doc. #797) is GRANTED;
2. The case is DISMISSED without prejudice; and
3. The case is terminated on the docket of this Court.

March 12, 2008

s/**THOMAS M. ROSE**

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Thomas M. Rose  
United States District Judge